

# Union Calendar No. 174

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2008

**[Report No. 111-308]**

To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2009

Mr. MATHESON (for himself and Mr. CHAFFETZ) introduced the following bill;  
which was referred to the Committee on Natural Resources

OCTOBER 21, 2009

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 21, 2009]

# **A BILL**

To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       *This Act may be cited as the “Bonneville Unit Clean*  
5       *Hydropower Facilitation Act”.*

6       **SEC. 2. DIAMOND FORK SYSTEM DEFINED.**

7       *For the purposes of this Act, the term “Diamond Fork*  
8       *System” means the facilities described in chapter 4 of the*  
9       *October 2004 Supplement to the 1988 Definite Plan Report*  
10      *for the Bonneville Unit.*

11      **SEC. 3. COST ALLOCATIONS.**

12      *Notwithstanding any other provision of law, in order*  
13      *to facilitate hydropower development on the Diamond Fork*  
14      *System, the amount of reimbursable costs allocated to*  
15      *project power in Chapter 6 of the Power Appendix in the*  
16      *October 2004 Supplement to the 1988 Bonneville Unit Defi-*  
17      *nite Plan Report, with regard to power development within*  
18      *the Diamond Fork System, shall be considered final costs*  
19      *as well as costs in excess of the total maximum repayment*  
20      *obligation as defined in section 211 of the Central Utah*  
21      *Project Completion Act of 1992 (Public Law 102–575), and*  
22      *shall be subject to the same terms and conditions.*

1 **SEC. 4. NO PURCHASE OR MARKET OBLIGATION; NO COSTS**  
 2 **ASSIGNED TO POWER.**

3 *Nothing in this Act shall obligate the Western Area*  
 4 *Power Administration to purchase or market any of the*  
 5 *power produced by the Diamond Fork power plant and*  
 6 *none of the costs associated with development of trans-*  
 7 *mission facilities to transmit power from the Diamond*  
 8 *Fork power plant shall be assigned to power for the purpose*  
 9 *of Colorado River Storage Project ratemaking.*

10 **SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.**

11 *No facility for the generation or transmission of hydro-*  
 12 *electric power on the Diamond Fork System may be fi-*  
 13 *nanced or refinanced, in whole or in part, with proceeds*  
 14 *of any obligation—*

15 *(1) the interest on which is exempt from the tax*  
 16 *imposed under chapter 1 of the Internal Revenue*  
 17 *Code of 1986, or*

18 *(2) with respect to which credit is allowable*  
 19 *under subpart I or J of part IV of subchapter A of*  
 20 *chapter 1 of such Code.*

21 **SEC. 6. REPORTING REQUIREMENT.**

22 *If, 24 months after the date of the enactment of this*  
 23 *Act, hydropower production on the Diamond Fork System*  
 24 *has not commenced, the Secretary of the Interior shall sub-*  
 25 *mit a report to the Committee on Natural Resources of the*  
 26 *House of Representatives and the Committee on Energy and*

- 1 *Natural Resources of the Senate stating this fact, the rea-*
- 2 *sons such production has not yet commenced, and a detailed*
- 3 *timeline for future hydropower production.*

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